

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

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| 1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other: | 5. DATE OF REQUEST: January 13, 2016 | NEED RESPONSE BY: January 23, 2016 |
| 2. REQUESTOR NAME: David Badal 3. PHONE NO.: (916) 784-6193 4. REGULATION CITE(S): 63-102(h)(2) and 63-402.143 | 6. COUNTY/ORGANIZATION: Placer County Human Services 7. SUBJECT: Definition of homelessness re: household composition 8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). | |

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

MPP 63-102(h)(2) states that: "Homeless individual means an individual who lacks a fixed and regular nighttime residence..."

MPP 63-402.143 states that separate household status shall not be granted to "An individual living with the household who is a spouse of a member of the household."

We have an applicant who claims he is homeless, but states that he spends an average of 6-7 nights per month at the home of his spouse. Per the first referenced regulation he meets the definition of homeless because he lacks a fixed and regular nighttime residence." However, the second referenced regulation clearly establishes that he cannot be considered a separate household from his wife if he is considered to be living with her. (Continued on next page)

10. REQUESTOR'S PROPOSED ANSWER:

The applicant cannot be considered a separate household from his wife even though he only spends 6-7 nights per month (on average) at her home.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

CalFresh concurs with the county's answer.

FOR CDSS USE

DATE RECEIVED:

January 12, 2016

DATE RESPONDED TO COUNTY/ALJ:

January 13, 2016 (web)

CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)

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| | 6. COUNTY/ORGANIZATION: Placer County Department of Human Services | | |
| | 7. SUBJECT: Defintion of homelessness re: household composition | | |
| | 8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). | | |
| 2. REQUESTOR NAME: David Badal | | | |
| 3. PHONE NO.: (916) 784-6193 | | | |
| 4. REGULATION CITE(S): 63-102(h)(2) and 63-402.143 | | | |

Does the fact that he spends (on average) 6-7 nights per month sleeping at his wife's home disqualify him as homeless for CalFresh purposes and are they prohibited from separate household status? His wife does not receive CalFresh and is not interested in applying. He claims that he and his wife are "not on good terms" and are in the "process" of divorcing. He states that he does eat at his wife's home when he is there but that they purchase and prepare separately. His wife has submitted a written statement supporting his claims.